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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

STEPHEN WENDELL AND LISA WENDELL,
for themselves and as successors in interest to
MAXX WENDELL, DECEASED,

Plaintiffs,

v.

JOHNSON & JOHNSON; CENTOCOR, INC.;
ABBOTT LABORATORIES; SMITHKLINE
BEECHAM d/b/a GLAXOSMITHKLINE; TEVA
PHARMACEUTICALS USA; GATE
PHARMACEUTICALS, a division of TEVA
PHARMACEUTICALS USA; PAR
PHARMACEUTICAL, INC.;

Defendants.

Case No.: 4:09-cv-04124-CW

**STIPULATED (PROPOSED) ORDER OF
DISMISSAL WITH PREJUDICE AS TO
DEFENDANT ABBOTT LABORATORIES
(n/k/a ABBVIE)**

Judge: Honorable Claudia Wilken

The matter in controversy having been resolved by and between the parties, it is hereby
ORDERED that the case is hereby **DISMISSED WITH PREJUDICE**, by stipulation of the
parties, as against **DEFENDANT ABBOTT LABORATORIES (n/k/a ABBVIE) ONLY**
pursuant to *Fed. R. Civ. P.* 41(a)(2).


CLAUDIA WILKEN, U.S.D.J.

Dated: 6/23/2014

The undersigned hereby stipulate and consent to the entry of the within Order.

/s/ *Kevin Haverty*

Kevin Haverty (*pro hac vice*)
WILLIAMS CUKER BEREZOFSKY
210 Lake Drive East, Suite 101
Cherry Hill, NJ 08002

Counsel for Plaintiffs

/s/ *Brenton Rogers*

Brenton Rogers (*pro hac vice*)
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, Illinois 60654

Counsel for Abbott Laboratories

1 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

2 I, Kevin Haverty, am the ECF user whose ID and password are being used to file this
3 **STIPULATED (PROPOSED) ORDER OF DISMISSAL WITH PREJUDICE AS TO**
4 **DEFENDANT ABBOTT LABORATORIES (n/k/a ABBVIE).** In compliance with General
5 Order 45, X.B., I hereby attest that the following attorneys have concurred in this filing: Brenton
6 Rogers, counsel for Abbott Laboratories (n/k/a AbbVie); Kevin Haverty, counsel for Plaintiffs.
7

8
9 */s/ Kevin Haverty*
10 Kevin Haverty, *pro hac vice*
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12 WILLIAMS CUKER BEREZOF SKY, LLC
13 210 Lake Drive East, Suite 101
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28 *Counsel for Plaintiffs*

DATED: June 19, 2014

1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that all counsel of record who have consented to
3 electronic service are being served with a copy of the attached **STIPULATED (PROPOSED)**
4 **ORDER OF DISMISSAL WITH PREJUDICE AS TO DEFENDANT ABBOTT**
5 **LABORATORIES (n/k/a ABBVIE)** via the CM/ECF system.
6

7 */s/ Kevin Haverty*
8 Kevin Haverty, *pro hac vice*
9 khaverty@wcblegal.com
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15 *Counsel for Plaintiffs*

16 DATED: June 19, 2014